BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE CONSOLIDATED MATTERS INVOLVING:

PARENT ON BEHALF OF STUDENT,

and

PLEASANTON UNIFIED SCHOOL DISTRICT,

OAH CASE NUMBER 2026050880

OAH CASE NUMBER 2026030406

ORDER GRANTING MOTION TO CONSOLIDATE AND GRANTING REQUEST TO MAINTAIN DATES IN STUDENT'S CASE.

MAY 22, 2026

On March 10, 2026, Pleasanton Unified School District, called Pleasanton, filed with the Office of Administrative Hearings a Request for Due Process Hearing in OAH case number 2026030406, Pleasanton's Case, naming Parents on behalf of Student.

On May 20, 2026, Student filed a Request for Due Process Hearing in OAH case number 2026050880, Student's Case, naming Pleasanton.

On May 20, 2026, Student filed a Motion to Consolidate the cases and that the dates for Pleasanton's case be vacated. Student requests that the dates in Student case remain as calendared.

On May 21, 2026, Pleasanton filed an objection to consolidation on the grounds that Student did not file the motion to consolidate three days prior to the prehearing conference in Pleasanton's case, and that Student did not have good cause for the late filing.

Student demonstrated good case for filing a motion less than three days prior to the prehearing conference in Pleasanton's case. At the time of the prehearing conference on May 18, 2026, Student had not filed a due process complaint naming Pleasanton. There was no Student's case to consolidate with Pleasanton's and the undersigned ALJ denied Student's motion to consolidate at the prehearing conference. Pleasanton argues that Student filed the notice of representation on May 1, 2026, and could have filed the due process complaint and motion to consolidate three days prior to the prehearing conference. Student filed the complaint less than three weeks after the notice of representation. Further, Student filed the motion to consolidate with the compliant. For the above reasons, Student established good cause for the late filing.

CONSOLIDATION

No statute or regulation specifically provides a standard to be applied in deciding a motion to consolidate special education cases. However, OAH will generally consolidate matters that involve the same parties, a common question of law and/or fact, and when consolidation of the matters furthers the interests of judicial economy by saving time or preventing inconsistent rulings. (See Gov. Code, § 11507.3, subd. (a)

[administrative proceedings may be consolidated if they involve a common question of law or fact]; Code of Civ. Proc., § 1048, subd. (a) [same applies to civil cases].)

Here, both cases involve a common question of law or fact, specifically, the appropriateness of the January 26, 2026, multidisciplinary triennial assessment report and whether Pleasanton denied Student a FAPE in the least restrictive environment. The time period of Pleasanton's case and Student's case overlap. Pleasanton concedes that Student's complaint includes the same parties and likely the same or similar witnesses and documentary evidence, as well as similar issues and common questions of law and fact. Pleasanton's assertion that the parties' dispute needs to be resolved to move forward with Student's special education program and avoid further delay is given significant consideration. However, the compelling need to avoid simultaneous litigation of overlapping issues between the same parties is more persuasive. Pleasanton is not unduly prejudiced by the consolidation of the cases and a short continuance to the dates in Student's case. Hearing the issues common to both cases at the same time furthers the interest of judicial economy. Accordingly, consolidation is granted.

ORDER

1. Student's Motion to Consolidate is granted.
2. Student's Case is designated as the primary case. All dates previously set in Pleasanton's Case, OAH case number 2026030406, are vacated.
3. Student's request to maintain the prehearing conference and due process hearing dates in Student's case is granted. The prehearing conference in the consolidated cases shall be held on June 29, 2026, at 3:00 PM, and the Due Process Hearing in the consolidated cases shall be held on July 7,

through July 9, 2026, beginning at 9:30 AM on all days, continuing day to day as needed at the discretion of the Administrative Law Judge.

4. The 45-day timeline for issuance of the decision in the consolidated cases shall be based on the date of the filing of the complaint in Student's Case, OAH case number 2026050880.

IT IS SO ORDERED.

Katherine Roe
Katherine Roe (May 22, 2026 08:42:41 PDT)

Katherine Roe

Administrative Law Judge

Office of Administrative Hearings